

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MACK AUTHER FOREMAN, JR.,

Petitioner,

v.

**KENNETH JONES, Warden;
ATTORNEY GENERAL OF THE STATE
OF ALABAMA,**

Respondents.

Case No.: 2:14-cv-785-RDP-JEO


MEMORANDUM OPINION

On August 3, 2015, the Magistrate Judge's Report and Recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the Magistrate Judge. No objections were filed.

After careful consideration of the record in this case and the Magistrate Judge's Report and Recommendation, the court hereby **ADOPTS** the Report of the Magistrate Judge. The court further **ACCEPTS** the recommendations of the Magistrate Judge that Petitioner's § 2254 habeas application be denied on the ground that its claims are both time barred under 28 U.S.C. § 2244(d)(1) and unexhausted and procedurally defaulted under 28 U.S. C. § 2254(b).

A separate order in accordance with this Memorandum Opinion will be entered.

DONE and **ORDERED** this September 22, 2015.


R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE